

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:14-cv-238-FDW-DSC

DOUGLAS R. SMITH; MARY LUCZAK-)
SMITH; DRS FAMILY MANAGEMENT,)
LLC; FORTIS CAPITAL HOLDINGS,)
LLC; SMITH CLOVIS CAPITAL)
HOLDINGS, LLC; SMITH CLOVIS)
CAPITAL VENTURES, LLC; and SMITH)
AND SONS ENTERPRISES, LLC;)

Plaintiffs,)

vs.)

AVERY CHAPMAN; TARYN)
HARTNETT; and CHAPMAN LEGAL)
GROUP, PLC, d/b/a Chapman Law Group,)
PLC;)

Defendants.)

ORDER

THIS MATTER is before the Court on several motions to dismiss (Docs. Nos. 17, 18, 19). Each Defendant has separately moved to dismiss the complaint. Specifically, each Defendant argues that Plaintiff has failed to state a cognizable federal claim pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and in addition, each Defendant argues this Court lacks subject matter jurisdiction over the remaining state law claims.

The Court has carefully reviewed the Complaint, the well-briefed arguments of counsel, and the applicable case law and hereby DENIES WITHOUT PREJUDICE all Defendants' Motions to Dismiss (Docs. Nos. 17, 18, 19). The parties may reprise any relevant arguments in support of motions for summary judgment, should any be filed.

IT IS SO ORDERED.

Signed: July 14, 2014



Frank D. Whitney
Chief United States District Judge

